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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.: 10/654,668 Confirmation No.: 5368
Applicant: Brian A. Rosenfeld, M.D. and Michael Breslow, M.D.
Filed: September 4, 2003
Group Art Unit: 3626
Examiner: MORGAN, Robert W.
Docket No.: 2483-001CIP1

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Enclosed please find the following:

1. Information Disclosure Statement; and
2. Listing of References (16 sheets)

The Commissioner is hereby authorized to charge any fee deficiency, or credit any overpayment, to Deposit Account No. 18-1579. The Commissioner is also authorized to charge Deposit Account No. 18-1579 for any future fees connected in any way to this application. Two copies of this letter are enclosed.

Respectfully submitted,

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INFORMATION DISCLOSURE STATEMENT
PURSUANT TO 37 CFR 1.555

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

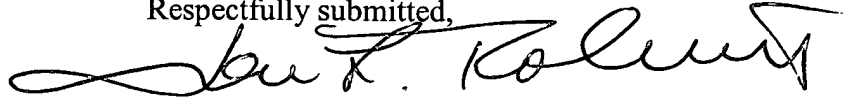
Dear Sir:

In accordance with 37 CFR § 1.555, Applicant hereby submits the following Supplemental Information Disclosure Statement identifying references that the Examiner may find relevant in the examination of above-referenced application (herein, the “Present Application”).

The Present Application and U.S. Patent 6,804,656 (the “‘656 Patent”) are commonly owned by Visicu, Inc. The ‘656 Patent is involved in a reexamination proceeding (Control No. 90/007,377) and in litigation (Cerner Corporation v. Visicu, Inc., United States District Court for the Western District Of Missouri (Western Division), Case No. 04-1033-CV-W-GAF). In the litigation, Cerner alleges that the ‘656 Patent is invalid. The references identified herein were provided to Applicant Visicu by Cerner in conjunction with that lawsuit and were provided pursuant to third party discovery requests in the same litigation. Applicant is providing copies of these references not currently of record in the prosecution of the present application in the same form as those references were provided to Applicant by Cerner and in the third party discovery response.

Applicant submits that the disclosures of these references are cumulative with the prior art cited by the examiner during the prosecution of the present application, particularly U.S. Patent 3,646,606 issued to Buxton et al. (herein, "Buxton"), U.S. Patent 6,364,834 issued to Reuss, et al. (herein, "Reuss"), and U.S. Patent 4,838,275 issued to Lee (herein, "Lee").

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jon L. Roberts", with a stylized flourish at the end.

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Application No. 10/654,668

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Examiner Signature

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Examiner Signature

Date Considered